

REMARKS/ARGUMENTS

In light of the above amendments and remarks to follow, entry of this amendment and reconsideration and allowance of this application are respectfully requested.

Claims 13-16 have been amended. Claims 13-19 are pending in this application.

Claims 13-19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Gross* (U.S. Patent Application No. 2004/0143564) in view of *Handman* (U.S. Patent Application No. 2006/0212444).

The present claims now recite

assigning points to the at least one content item in the favorite content list of each of the users other than the first user, wherein the assigning includes, for the favorite content list of each of the users other than the first user, dividing a same predetermined point value by a total number of content items listed in the corresponding favorite content list and assigning the quotient resulting from the dividing as an assigned point value to each of the content items in the corresponding favorite content list

(Independent Claim 13 (emphasis added); independent claims 14-16 contain similar limitations). Accordingly, the present invention generates a recommendation content list for a first user, based on a favorite content list created by the first user and the points assigned to the content items in the respective favorite content lists created by users other than the first user. For each of the favorite content lists of users other than first user, the point value assigned to each of the content items in the corresponding favorite content list is the quotient resulting from dividing a same predetermined point value by the number of content items in the corresponding favorite content list. As discussed in the application, the same predetermined point value may be set to 100, such that the assigned point

value for each content item in a favorite content list including five (5) content items is 20 points (quotient resulting when dividing 100 by 5), and for each content item in a favorite content list including four (4) content items is 25 points (quotient resulting when dividing 100 by 5). (See pg. 29, ln. 6-24 and FIGs. 9A-9C). Thus, the points assigned to the content items in the favorite content lists of respective users other than the first user's are in "inverse proportion to the total number of" content items in the corresponding favorite content list, such that the contribution to ranking of the content items in a favorite content list having a large total number of content items is smaller than the contribution of content items in a favorite content list having a small total number of content items. (See specification, for example, at pg. 31, ln. 5-19). In other words, based on use of the same predetermined point value to assign points to content items in the favorite content lists of the respective other users, the content items of the favorite content lists including a smaller total number of content items contribute more in the ranking, than the content items of the favorite content lists including a larger total number of content items.

Applicant respectfully asserts that the applied portions of *Gross* and *Handman* do not render the claimed invention obvious.

The applied portions of *Gross* appear to disclose assigning ranking scores (points) to pages (content items) identified from a search in direct proportion to the number of links or quality of the links for the page, such that a page with a greater number of links or greater number of alive links (quality) receives a higher ranking score. In other words, in *Gross* each page (content item), to which a point value is assigned, apparently is not part of a list of pages and the

number of pages in the list apparently is not used to determine the assigned point value. Nowhere does *Gross* appear to disclose or suggest that a same predetermined point value is used to assign points to content items in respective favorite content lists, where the points assigned to each content item of a corresponding favorite content list is equal to the quotient resulting from dividing a same predetermined point value by a total number of content items in the corresponding favorite content list, as required by the claimed invention.

The cited portions of *Handman* do not cure the deficiencies of *Gross* regarding the claimed invention, as described above. Although the applied portions of *Handman* appear to disclose using an inverse of a standard deviation value, which indicates similarity or dissimilarity among content items (songs) of a group of selected content items, to weight a particular song of the group (see paragraph [0116]), nowhere does *Handman* appear to disclose or suggest assigning a same point value to each song of songs included in respective groups of songs (favorite content lists), where the assigned point value is (in inverse proportion to the number of songs of the respectively corresponding group and) determined "by dividing a same predetermined point value by a total number of content items [songs] listed in the corresponding favorite content list [group]," as required by the present invention. Further, the applied portions of *Handman*, which appear to describe determining a difference between positive and negative feedback responses for each content item, and then dividing the difference by the total number of performances of the content item for which feedback could have been provided to obtain a suitability quotient (see paragraph [0154]), does not appear to constitute a disclosure or suggestion of assigning a same point value to each content item in a corresponding favorite content

list, based on use of a same predetermined point value for determining the assigned point value for the content items respectively of each of the favorite content lists, as required by the claimed invention.

Accordingly, for at least these reasons, *Gross* and *Handman*, alone or in combination, fail to obviate the present invention and the rejected claims should now be allowed.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

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